

REMARKS

In the Office Action,¹ the Examiner rejected claims 1 and 12 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Pub. No. 2003/0097211 to Carroll et al. ("*Carroll*"); rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over *Carroll* in view of U.S. Patent Application Pub. No. 2004/0210363 to Kataghishi ("*Kataghishi*"); and rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Carroll* in view of U.S. Patent Application Pub. No. 2005/0203684 to Borgesson ("*Borgesson*").

Applicants respectfully traverse the rejection of claims 1 and 12 under 35 U.S.C. § 102(e) as anticipated by *Carroll*.

Claim 1 recites an apparatus including, for example, "means for getting vehicle model information from the vehicle" (emphasis added). *Carroll* does not disclose at least the getting means of claim 1.

According to the Examiner, *Carroll* teaches "the computer system for recognizing the vehicle model based on the input signal from the user interface" where "the user interface provides a list of the vehicle's country (vehicle model information) for the user to select" (Office Action, page 2).

In contrast, claim 1 recites "means for getting vehicle model information from the vehicle" (emphasis added). A user does not have to "select" the vehicle's country or other information about the vehicle, because the vehicle's model information is gotten "from the vehicle."

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Contrary to the Examiner's suggestion, "for getting..." is not a statement of intended use. Instead, claim 1 recites a "means for getting..." as specified in 35 U.S.C. § 112, paragraph six. The patent statute authorizes the applicant's claim structure, and the authority cited by the Examiner is not relevant to claim 1. Rather, Applicant is entitled to examination of the full claim scope. The examiner may not simply ignore words of the claim. *Carroll* does not anticipate claim 1. Claim 12 depends from claim 1 and is thus allowable over *Carroll* for at least the same reasons as claim 1.

Applicants respectfully traverse the rejection of claim 2 under 35 U.S.C. §103(a) as being unpatentable over *Carroll* in view of *Kataghishi*. *Carroll* and *Kataghishi*, taken alone or in combination, fail to teach or suggest the subject matter of claim 2.

Claim 2 depends from claim 1 and therefore includes all of the elements recited therein. As discussed above, *Carroll* does not disclose at least the getting means of acquiring vehicle model information of claim 1. *Kataghishi* does not repair the noted deficiency of *Carroll*, because *Kataghishi* fails to disclose the claims getting means.

Accordingly, *Carroll* and *Kataghishi* fail to render the subject matter of claim 2 obvious.

Applicants respectfully traverse the rejection of claim 13 under 35 U.S.C. §103(a) as being unpatentable over *Carroll* in view of *Borgesson*. *Carroll* and *Borgesson*, taken alone or in combination, fail to teach or suggest the subject matter of claim 13.

Claim 13 depends from claim 12, which depends from claim 1. Therefore, claim 13 includes all of the elements recited in claim 12 and claim 1. As discussed above, *Carroll* does not disclose at least the getting means of acquiring vehicle model information of claim 1. *Borgesson* does not repair the noted deficiency of *Carroll*,

because *Borgesson* fails to disclose the claims getting means. Accordingly, *Carroll* and *Borgesson* fail to render the subject matter of claim 1 obvious.

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 18, 2007

By: _____



Eli Mazour
Reg. No. 59,318